GOVERNMENT OF AHDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram – Water Resources Department - Neeru-Chettu Random verification of works that were already verified by the teams constituted by the District Collectors in erstwhile Anantapur district - **"**Construction of check dam across Narigambavi vanka in the Survey No.1969-4 near Putlur(v) in Putlur (m) of erstwhile Ananthapuramu (dist). (work No.8 & ID:12022805019)- Departmental Proceedings under Rule 20 of the A.P. Civil Services (CC & A) Rules, 1991 - Articles of Charges - Issued.

WATER RESOURCES (Vig.II.(V&E)) DEPARTMENT

G.O.Rt.No.590 Dated:20.11.2023

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O R D E R:

It is proposed to hold an inquiry against Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram in accordance with the procedure laid down under Rule 20 of the A.P Civil Services (CC&A) Rules, 1991 for the alleged charges specified herein.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of articles of charges is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram is directed to submit his written statement of defence within (10) days from the date of receipt of this order and also state whether he desires to be heard in person.

4. Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram is informed that an inquiry will be held only in respect of those article of charge which are not specifically admitted herein. He should, therefore, specifically admit or deny each article of charge. He is further informed that adequate opportunity for perusal of records will be made available during the course of inquiry.

5. Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram is further informed that if he does not submit his written statement of defence on or before the stipulated time, or does not appear in person before the disciplinary authority or otherwise fails or refuses to comply with the provisions of rule 20 of the APCS (CC&A) Rules 1991, or the orders/directions issued in pursuance of said Rules, the inquiring authority may hold inquiry against him ex-parte.

6. Attention of Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram **through** the Engineer-in-Chief (AW), Water Resource Department, Vijayawada.
Copy to:
The Engineer-in-Chief (AW), Water Resources Department, Vijayawada with a request to submit the dated acknowledgement of the individual to the Government without any delay.

// FORWARDED : BY ORDER //

SECTION OFFICER

Annexure-I

Draft Article of charge framed against Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram:-

Sri. V. Prabhakar has committed dereliction of duties amounting to misconduct in violation of Rule (3) of APCS (conduct) Rules 1964, as mentioned in the following article of charge.

Article of Charge I:- That the said Sri V. Prabhakar while functioning as Executive Engineer, IB Division, Dharmavaram has check measured and allowed payment for substandard quality of cement concrete work in construction of superstructure of check dam, resulting in rejection of work and thus caused loss of Rs. 3,04,264/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines in execution of work "Construction of check dam across Narigambavi vanka in the Survey No.1969-4 near Putlur(v) in Putlur (m) of erstwhile Ananthapuramu (dist). (work ID:12022805019) (Work No.8)". Thus, he has committed dereliction of duties, amounting to misconduct.

Article of Charge II:- That the said Sri V. Prabhakar while functioning as Executive Engineer, in the aforesaid office has allowed payment with excess rate for earth work i.e clearance of vagu in U/S & D/S of check dam against allowable rate of excavation of field channels without trimming and thus caused loss of Rs. 20,235/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines in execution of aforesaid work. Thus, he has committed dereliction of duties, amounting to misconduct.

Article of Charge III:- That the said Sri V. Prabhakar while functioning as Executive Engineer, in the aforesaid office has check measured and recommended payment for backfilling of soils separately , as the rate of earth work excavation was inclusive of backfilling of soils, resulting double payment and thus caused loss of Rs. 5,670/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines in execution of aforesaid work. Thus, he has committed dereliction of duties, amounting to misconduct.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED: : BY ORDER //

SECTION OFFICER

Annexure – II

Draft Imputations in support of charge framed against Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram:-

1) The Vigilance & Enforcement Department was requested to conduct a discrete enquiry on the irregularities during the implementation of NEERU-CHETTU programme. Accordingly the V&E officials have verified the works taken up under Neeru-Chettu Programme at random in all the districts of Andhra Pradesh. The details of enquiry are as follows.

1.0). BACK GROUND:

1) Government, vide G.O.Ms.No. 20, Planning (VII) Department, dt: 26.09.2014 constituted Seven Missions with a vision to be among the three best states in India by 2022.

2) Government, vide G.O.Ms.No.22, Planning (VII) Department, dt: 09.10.2014 constituted the District Committee for 'Janmabhoomi-Maa Vooru Programme' with District Minister concerned as Chairperson.

3) Government, vide G.O.Ms.No. 70, Irrigation & CAD (WRG-GRC) Department, Dt: 04.12.2014 issued guidelines for implementation of Neeru-Chettu sub-mission (NSM)

and Neeru-Chettu (Water and Tree) Water Conservation Mission under the “Primary Sector Mission” to make the state drought proof through conservation of water and to ensure its optimum utilization for supplementing life saving irrigation and drinking water sources through integrated water resources development and management.

4) Government, vide G.O.Rt.No. 798, Irrigation & CAD (CAD.1) Department, Dt: 05.12.2014 constituted ‘Water Conservation (Neeru-Chettu) Sub Mission’ with Irrigation & CAD Department as the Nodal Department for coordinating all activities.

5) Government, vide G.O.Ms.No. 40, Water Resources (CAD.1) Department, Dt: 28.04.2015 issued guidelines for conducting “Avagahana Sadassulu” on Neeru-Chettu programme in the villages from 2nd May to 11th May, 2015 for public awareness and discussion on the subject importance of Water conservation in all the villages of the State.

6) The main objectives of the Neeru-Chettu scheme are:

i. to bring all catchments and command areas of the irrigation sources under assured irrigation by rehabilitating them with watershed concept.

ii. to reduce the gap ayacut by 50% in the next 5 years by increasing water availability and improving water use efficiency in irrigated areas by de-silting of tanks and breach restoration.

iii. to divert water from surplus basins to deficit basins.

7. Government of Andhra Pradesh issued the following guidelines from time to time on implementation of Neeru-Chettu Programme. (Annexure-5)

A. Govt. Memo No 10444/CAD.1/2014-12 dt 11.02.2015 of I&CAD Department:

(a) The de-silting of tanks having registered ayacut less than 40 hectares i.e., erstwhile PR tanks shall be taken up by the Rural Development Department following the MGNREGS procedures.

(b) The de-silting of tanks having registered ayacut more than 40 hectares i.e., tanks under the control of Minor Irrigation Department will be taken up by using machinery such as excavators/ JCBs/ Proclains. The silt generated during de-silting works may be allowed to be transported by the local farmers by deploying tractors at their own cost for application to agricultural fields. The farmers may also be allowed to excavate the silt and transport at their own cost from any of the tanks with prior permission from the concerned Executive Engineer, I&CAD Department.

(c) Technical guidelines and precautions to be taken during de-silting of tanks:

i. Priority of the Tanks to be de-silted shall be identified by the Irrigation Department officials duly involving the Public Representatives and public.

ii. Field staff have to furnish the demarcation maps of all tanks proposed for de-silting duly signed by them before commencement of de-silting process.

iii. De silting shall be carried out as per the depths directed by the I&CAD Dept officials.

iv. De-silting shall be done from the demarcated area furnished duly following the quantities mentioned by the Engineering staff.

v. The quantity of silt to be excavated from the tank shall be calculated and furnished daily.

vi. The pre levels before commencement of the work and final levels after completion of the work shall be recorded.

vii. The Superintending Engineer shall inspect and examine the tank bed and prioritize the de-sitting area so as to achieve multiple benefits.

viii. De-sitting work shall be taken up uniformly but not at isolated locations.

ix. The roads and Thandus formed in the tank shall be removed after completion of de-siltation.

x. The damages occurred, if any, to the tank during the de-siltation process shall be rectified to the original standards.

xi. The silt generated from excavation should be used for application to agriculture fields.

xii. De-silting shall be done far away from railway tracks as per railway codal rules.

xiii. De-silting shall be done beyond the distance equivalent to 10 H (where H =Height of the bund) from the toe of the earth bund of the tank.

xiv. De-silting shall not be done below sill level of sluice.

xv. De-silting shall be done during day time under the supervision of the concerned AEE/DEE.

xvi. The field staff shall take photographs before commencement of the work and after completion of the work.

B. Govt. Memo. No.10444/CAD.1/2014-15 Dt. 18-02-2015 of I&CAD Department:

i. The silt generated from de-silting operation, in addition to application in agricultural fields, can also be used for strengthening of bund and for leveling the low lying area in weaker section housing colonies.
ii. Machinery can be used for de-silting in tanks having registered ayacut less than 40 hectares i.e., erstwhile PR tanks also.

C. Govt. Memo. No.10444/CAD.1/2014-16 Dt. 18-02-2015 of I&CAD Department:

i. One Chief Engineer from Irrigation & CAD Department shall be appointed as Implementing Officer for one district and made responsible for effective implementation of the Neeru-Chettu programme in that district.
ii. One Superintending Engineer from Irrigation & CAD Department shall be appointed as Nodal Officer for each district and made responsible for effective implementation and review of progress of works taken up under Neeru-Chettu within the district.
iii. One Executive Engineer from Irrigation & CAD Department shall be appointed as Divisional Officer and made responsible for effective implementation and review of progress of works taken up under Neeru-Chettu within the division.
iv. The identification and grounding of de-silting works under Neeru-Chettu will be done by a Mandal team comprising AE/ AEE/ DEE of Irrigation dept. as Member-Convener and Tahsildar/ MPDO/ Forest Range Officer (F.R.O)/ Agri. Officer/ Fisheries/ Horticulture/ Village Revenue Officer (V.R.O) of the village in which the tank falls as other members. The Mandal team conducts Gram Sabhas and shall receive written requisitions from the farmers, who are willing to take the silt from the tank bed to their fields at their own cost. Based on the requisitions, the Member-Convener shall ascertain the quantity of de-silting and prepare the detailed estimates as per I&CAD norms and submit to the District Collector through the Superintending Engineer for Administrative Approval.
v. The de-silting works shall be taken up only after receipt of Administrative approval from the District Collector and to the extent of amount sanctioned.
vi. The District Collector shall identify the agencies owning excavators and they should be allotted to the Mandal team.
vii. The Village Revenue officer/G.P Secretary of the village shall maintain a daily record of number of hours the excavators worked in the tank for de-silting and also number of trips of soil transported by the farmers and ascertain the daily quantity of silt transported to make payment to the excavators.
viii. The execution of works shall be done under the supervision of Mandal team duly following all departmental procedures i.e., recording of M.Books by AE/AEE and Check-measurements by Dy.E.E/E.E and G.Os in force.
ix. Payments to the excavators shall be least of the following.
a) Amount worked out based on number of hours of work and hourly rate for the excavators.
b) Amount as per the quantity ascertained based on number of tractors trips as recorded in the daily register and the rate per Cum as per SSR.
c) Amount as per the quantity worked out as per measurement book and rate per Cum as per SSR.

D. Govt. Memo. No.10444/CAD.1/2014-28 Dt. 31-03-2015 of Water Resources Department:

i. The Forest Department shall take up afforestation of tank foreshore areas and plantation along the canal banks.

The Government of Andhra Pradesh vide GO Ms No.29 Industries and Commerce (Mines-IV) Department Dt. 01-04-2015 issued orders that "Sand, Earth or silt from the beds of tanks under the control of Public Works Department or the Revenue Department, which are notified by Assistant Director may be allowed to be removed free of charge for all purposes.

E. Govt. Memo. No.10444/CAD.1/2014-57 Dt. 20-05-2015 of Water Resources Department:

ii. De-silting and improvement of all Government owned water bodies including tanks, feeder channels, supply channels, notified & non-notified minor drains are permitted under Neeru-Chettu Programme.

F. Memo No. 10444/CAD.1/2014-172 Dt.24-03-2016 of Water Resources (CAD) Department:

i. The District Collectors are permitted to include the following works besides de-silting works while sanctioning and entrusting the same to the Water Users Associations or Janmabhoomi-Mavooru Committees:

a) Tank Bund Strengthening and consolidation.
b) Repairs to tank sluices and repairs and replacement of shutters.
c) Repairs to surplus weirs.

G. Memo No. 4810/RD.II/A1/2016 Dt.16-04-2016 of PR & RD(II) Department:

Farm Ponds in extent beyond Ac.5.00, are to be taken up under Neeru Chettu by the Irrigation Department as per guidelines.

H. Memo No.10444/CAD.I/2014-181 Dt. 03-05-2016 of Water Resources (CAD) Department:

i. De-silting of Minor Irrigation tanks shall be taken up by the Minor Irrigation Department and de-silting of erstwhile PR tanks, farm ponds, percolation tanks and other water harvesting structures shall be taken up by Rural Development Departments under Neeru-Chettu Programme. The plantation, excavation of contour trenches and other works shall be taken up by the Forest Department. Thus Neeru-Chettu Programme is being implemented in all line departments with inter-departmental synergy.

ii. It is proposed to implement the Neeru-Chettu in the Major and Medium Irrigation Projects to save the water and to utilize water with optimum water use efficiency. The following works are proposed under Neeru-Chettu Programme in the Major and Medium Irrigation Projects.

1. De-silting in major canal, distributaries and minor canals
2. Strengthening of canal banks.
3. Repairs/ reconstruction of CM & CD works
4. Repairs to shutters of sluices.

I. Memo No.10444/CAD.1/2014-184 Dt. 06-05-2016 of Water Resources CAD Department:

The Chief Engineer, Minor Irrigation is permitted to take up the work of excavation of peripheral trenches along boundaries of Minor Irrigation Tanks under Neeru-Chettu Programme to avoid encroachment subject to the condition that it will be part of other works to be taken up in the tank which are required and permissible under Neeru-Chettu Programme. This work should not be taken as a standalone work to the exclusion of other works required to be taken up in the tank.

J. Memo No.10444/CAD.I/2015-190 Dt. 19-05-2016 of Water Resources (CAD) Department:

Government accorded permission for construction of check dams across 1st and 2nd order streams with the following guidelines.

1. The powers for according necessary administrative approval for construction of check dams across 1st and 2nd order streams are delegated to the District Collectors under Neeru-Chettu Programme.
2. The District Water Resources Officers shall prepare plan to take up series of check dams in a comprehensive manner for the selected streams duly preparing an action plan on number of check dams already constructed and now proposed, to be constructed and ascertaining the impact of the check dams already constructed and submit the same to the district collectors for according administrative sanctions in a phased manner.
3. The District water resource officers are permitted to accord hydrological clearance for check dams with a capacity of up to 1 MCFT.
4. The construction of check dams under Neeru-Chettu Programme shall be taken up on the streams where the rural development department is not taking up the Check dams under MGNREGS.
5. The Check Dams now proposed for construction shall be meant primarily for water conservation i.e., percolation and recharge of ground water and shall not be diverted to any other purpose.

8) Entrustment:

i. The Government of Andhra Pradesh, vide G.O.Ms.No.46 , I & CAD (General) Department dt.24-02-2007 notified that Farmers' Organization shall take up the normal operation & maintenance works and deferred maintenance works i.e., regular works costing up to Rs 5.00 lakhs under the supervision of the Irrigation Department at the rates not exceeding the estimated rates. The works costing above Rs 5.0 lakhs are to be entrusted by the Department duly calling tenders or as prescribed by the Government from time to time.

ii. Under no circumstances can a Chairman / President or Managing Committee Member of the farmers organization execute a work directly in his individual capacity.

iii. In exigencies, when any of the Farmer's Or is not existing or functioning, by any reason the works shall be taken up by the User groups or Ayacutdar Committees. If none of them come forward for execution of the same, then the works shall be completed by the department duly following the rules and procedures.
iv. The Government of Andhra Pradesh, vide G.O.Ms.No.62 I & CAD (PW:Reforms) Department dt.18-7-2013 accorded permission for calling tenders by open tender system for all the works costing Rs.5.0 lakhs and above, only on e-procurement platform.
v. The Government of Andhra Pradesh vide G.O.Ms.No.2, Finance (W&P-F7) Department, dt.03-02-2014 issued orders for following a procedure uniformly stating that, in all the Departments for all works and material procurement (for works and for stationery / livery supplies for offices etc.,) costing Rs.1.00 lakh and above, the e-procurement platform should be adopted so as to enhance transparency and also bringing uniformity across all departments.
vi. The Government of Andhra Pradesh, Water Resources (CAD) Department vide Memo No.10444/CAD.1/2014-41 Dt.30.04.2015 permitted to entrust the Neeru-Chettu de-silting works to Janmabhoomi-Mavooru Committees for effective implementation of Neeru-Chettu programme.
vii. The Government of Andhra Pradesh vide G.O.Rt.No.531, Water Resources (CAD) Department, dt.14-08-2015 accorded permission to entrust the Neeru-Chettu de-silting works to Janmabhoomi-Mavooru Committees for effective implementation of Neeru-Chettu programme. The Government felt that the programme was contemplated to achieve early benefits with low cost and different from the routine nature of commercial contracts and also a community based Programme for the collective benefit of the entire village as a unit.
Viii. The Government of Andhra Pradesh vide G.O.Ms.No.34, Water Resources (CAD) Department, dt.02-03-2016 issued orders to entrust the Neeru-Chettu de-silting works costing up to Rs 10.00 lakhs either to the Water Users Associations or to Janmabhoomi-Mavooru Committees. Works costing Rs.10.00 lakhs and above shall adopt e-procurement platform by calling tenders.
The Government issued revised/ comprehensive guidelines for taking up works during 2017-18 under Neeru-Chettu/ Neeru-Pragathi
vide GO RT No. 187 Dt: 17.04.2017 Water Resources CAD Department (Copy of GO and annexure enclosed as Annexure -6).

Desilting of Tanks, strengthening of tank bunds, repairs to sluices and weirs, jungle clearance, repairs/ replacement of shutters, construction of Check dams, excavation of farm ponds, development of cascades, desilting of supply channels, Irrigation channels, desilting of canals, repairs to CM & CD works, strengthening of canal banks and repairs to shutters of sluices works can also be taken up under Neeru Chettu Program.

9) General:

The Government of Andhra Pradesh Industries and Commerce (M.IV) Department vide Memo No.1307 /M.IV(1) /2015-2 Dt. 27-02-2015, while exempting the Seigniorage fee for the silt to be removed for the bonafide domestic, Agriculture and Non-commercial purposes, issued the following instructions.(Annexure -7)
a) Pits shall be at a distance of twice the height of the bund from the toe of the bund and they shall not be of such depth as would expose porous strata and at any rate not more than one meter.
b) For commercial usage of silt as a filling material, Seigniorage fee @ Rs.22/- per Cum shall be collected at the time of disposal by the concerned authority (Revenue/Engineering).

It is to be noted that it was instructed to dig the pits at a distance of twice the height of the bund from the toe of the bund, which differ from the guidelines issued by the Government of Andhra Pradesh, I & CAD Department vide Memo No 10444/CAD.1/2014-12 dt 11-02-2015, wherein it was instructed that de-silting shall be done beyond the distance equivalent to 10 H from the toe of the earth bund of the tank.
a. Memo No.10444 /CAD.1 /2014-188, Dt.18.05.2016, Water Resources (CAD) Department (Annexure -8)

Government accorded permission for calling short tenders on e-procurement platform for the works costing more than 10.00 Lakhs in case of emergency to save time and keeping in view limited time available for completion of works before the onset of monsoons.

b. Memo No.10444 /CAD.1 /2014-195, Dt.16.06.2016, Water Resources (CAD) dept. (Annexure -9)

Government agreed to adopt the rate of Rs. 66.90 per cum where more no of proclains are involved for the cross conveyance of earth in respect of major drains.

c. Memo No.10444/CAD.1/2014-202, Dt.18-07-2016, Water Resources (CAD) Dept. (Annexure -10)

Government permitted the District Collector, YSR Kadapa to accord Administrative approval for check dams up to 1.00 Mcft. capacity without taking Hydrological clearance from concerned and also including according permission to all the remaining District Collectors also.

d. Memo No.10444 /CAD.1 /2014-214, Dt.07-04-2017, Water Resources (CAD) Department (Annexure -11)

The Government accord permission to adopt the following rates for jungle clearance with uprooting in the top of the bund, slopes of bond and foreshore of MI tanks except for those areas in which there is silt removal operation going on.

i. Clearance of light jungle by uprooting with machinery. Rs. 3.06/Sqmt.

ii. Clearance of thick jungle by uprooting with machinery. Rs. 3.66/ sqmt.

e. Memo No. 10444/CAD.1/2014 Dt: 18.05.2017, Water Resources (CAD) Department (Annexure -12)

Government permitted the District Collectors to accord administrative sanction for the proposed Neeru-Chettu works in the tanks having ayacut less than 50 acres to be executed by Minor Irrigation Department where the Rural Development department cannot take up the Neeru-Chettu works manually on a case to case basis after personally satisfied themselves.

f. G.O.Rt. No: 109, Dt. 09-02-2018, Water Resources (CAD) Department (Annexure -13)

The Government after examination incorporated clause 5.5 in comprehensive guidelines 2017-18 as follows.

i. To distribute budget among the District Collectors and works shall be sanctioned duly following FRBM norms.

ii. The sanctioning power of the District Collectors is restricted to RS. 10.00 lakhs. Works should not be split to bring them within Rs. 10.00 lakhs.

iii. Only one work can be sanctioned in a tank. Sanctioning more than one work in a tank amounts to misappropriation of funds.

g. G.O.Rt No:234, Dt.02-04-2018,Water Resources (CAD) Department (Annexure -14)

The Government after examination, issued the modification orders to point No.(ii) of the G.O.Rt. No. 109, duly enhancing the sanctioning powers of District Collectors from Rs. 10.00 Lakhs to Rs. 20.00 Lakhs.

h. G.O.Ms. No.40, Dt.21.05.2018, Water Resources (CAD) Department (Annexure -15)

Government accorded permission to private people who are coming forward to remove silt from the tanks/reservoirs with their own cost, with the following conditions:

i. The Private people shall be allowed to take the silt from tanks /reservoirs at their own cost on appropriate requisition being made to the Executive Engineer concerned and after obtaining specific approval from the Executive Engineer.

ii. The Technical guidelines and precautions to be taken while taking up de-silting of tanks prescribed in Annexure to Government memo 10444 /CAD.1 2014-12 Dt. 11-02-2015 shall be followed.

iii. Refundable caution deposit shall be collected from the private people at the rate of Re.1/- per one cubic meter of silt by the concerned Executive Engineer for the quantity requisitioned towards security against incidental damages caused to the tanks/reservoirs during the de-siltation process.

iv. The private people shall be allowed to lift the silt from the beds of the tanks/reservoirs on free of charge basis i.e., without levying any Seigniorage charges as per the Government orders.

2. The V&E Officials have made the following observations and findings in execution of work “Construction of check dam across Narigambavi vanka in the Survey No.1969-4 near Putlur(v) in Putlur (m) of erstwhile Ananthapuramu (dist). (work ID:12022805019) (Work No.8)”.

(i). (a) CC cores extracted from hardened concrete of the superstructure of the check dam to ascertain the compressive strength of concrete.

(b) As per clause 17.4.3 of IS 456:2000 concrete in the member represented by a core test shall be considered acceptable if the average equivalent cube strength of the cores is equal to at least 85 percent of the cube strength of the grade of concrete specified for the corresponding age and no individual core has a strength less than 75 percent.

(c) Hence, for M15 grade of concrete, the permissible compressive strength for the individual equivalent cube strength shall be 11.25 N/mm2 and the permissible average equivalent cube compressive strength is 12.75 N/mm2

(d) The details of the test results of extracted cement concrete cores are tabulated below.

CC Core No.	Description of item	Grade of concrete	Compressive Strength in N/mm^2		Remarks
			Attained	Required	
C-14	0.80 m from L/S abutment & 0.50m from top of body wall	M15	5.92	11.25	Failed
C-15	7.60 m from L/S abutment & 0.45m from top of body wall	M15	--	11.25	Core crumbled during the extraction
C-16	18.56m from L/S abutment & 0.90m from top of body wall	M15	--	11.25	Core crumbled during the extraction

(e) The test results revealed that two cores crumbled while they were being extracted from hardened concrete of superstructure. The average equivalent cube compressive strength of the extracted cores are failed to attain their respective individual and average cube compressive strength for CC M15 as per IS 456:2000. Hence, the superstructure concrete was found to be liable for rejection.

Item	Recorded quantity in cum	Rate in Rs./cure	Proposed recovery in Rs.
Superstructure concrete	71.04	4,283/-	3,04,264/ -

(ii).(a). As per Memo.10444/CAD.1/2014-159, dt.20.02.2016 of Water Resources (CAD) Department, rate of excavation of field channels without trimming was specified as Rs.40.10 per cum for desilting works under Neeru-Chettu programme.

(b). As per the SL.No:1 of. part-1 of schedule-A of the agreement, the rate specified for the item of work viz. "earth excavation in all kinds of soils of foundation of structures as per drawing and technical specification, including setting out, construction of shoring and bracing, removal of stumps and deleterious matter, dressing of sides and bottom and backfilling with approved material (depth up to 3 meters) and all other operations found necessary for finished item of work" was found to be Rs.75.60/- per cum.

(c). During verification of records, V&E observed that clearance of vagu was executed on both U/s & D/s of the check dam for a length of 40 m & 15m respectively amounting to a quantity of 570.00 cum and the said quantity was recommended for payment at an excess rate of Rs.75.60/- per cum.

(d). Hence the difference of cost of Rs.20,235/- is proposed to be recovered from the agency.

Item	Recorded quantity in cum	Difference of rate in Rs./cum	Proposed recovery in Rs.
Desilting	570.00	75.60-40.10	20,235/-

(Clearance)		=35.50	

(iii). As per the Sl.No.1 of part-1 of schedule-A of the agreement, the rate of earthwork excavation for foundations was inclusive of backfilling of soils. But a quantity of 75.00 cum was recorded separately towards backfilling of soils and recommended for payment. Thus, double payment was allowed toward backfilling of soils.

Item	Recorded quantity in cum	Rate in Rs./cum	Proposed recovery in Rs.
Backfilling	75.00	75.60	5,670/-

Hence an amount of Rs.5,670/- is proposed to be recovered from the agency.

3. Thus, Sri V.Prabhakar is responsible for Check measuring and allowing payment for substandard quality of cement concrete work in construction of superstructure of check dam and causing loss of Rs. 3,04,264/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines.

The Executive Engineer is responsible for allowing payment with excess rate for earth work i.e clearance of vagu in U/S & D/S of check dam against allowable rate of excavation of field channels without trimming and causing loss of Rs. 20,235/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines.

The Executive Engineer is also responsible for Check measuring and allowing payment for backfilling of soils separately, as the rate of earth work excavation was inclusive of backfilling of soils, resulting double payment and causing loss of Rs. 5,670/- to the Government Exchequer which is irregular and violation of Government norms & Neeru-Chettu guidelines.

4. Thus, the said officer has failed to perform his duties with due diligence which amounts to dereliction of duties leading to misconduct in violation of Rule (3) of APCS (Conduct) Rules 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED: : BY ORDER //

SECTION OFFICER

Annexure – III

List of Documents by which the Article of charges framed against Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram:-

1) Extract of Vigilance report No. 42(C.No.4916/V&E/Engg/2019-4/ATP. Dist.), Dt: 15/11/2022 relevant to the subject work along with its enclosures and Neeru-Chettu Guidelines.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED: : BY ORDER //

SECTION OFFICER

Annexure – IV

List of Witnesses by whom the Article of charges framed against Sri V. Prabhakar, the then Executive Engineer, IB Division, dharmavaram:-

1) V & E officials who verified the work.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED: : BY ORDER //

SECTION OFFICER